

"Express Mail" Mailing Label No.: EV 314841689 US

Date of Deposit: December 22, 2003

Our Case No.: 9683/162

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Motoharu MIYAKE  
Hiroshi INAMURA  
Taro ISHIKAWA  
Kazuhsia YOKOTA  
Osamu TAKAHASHI

Examiner: To Be Assigned

Group Art Unit No.: To Be Assigned

Serial No.: To Be Assigned

Filing Date: December 22, 2003

For: TRANSMISSION CONTROL  
METHOD AND SYSTEM

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
Alexandria, VA 22313-1450

Dear Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed on the attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

In accordance with 37 C.F.R. § 1.97(g),(h), this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

No fees are believed to be due in connection with filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these material, the Commissioner is hereby authorized to deduct said fees from Brinks Hofer Gilson & Lione Deposit Account No. 23-1925. A duplicate copy of this document is enclosed.

Applicant(s) respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,



Tadashi Horie  
Registration No. 40,437  
Attorney for Applicant(s)

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FORM PTO-1449	SERIAL NO. To Be Assigned	CASE NO. 9683/162
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (use several sheets if necessary)	FILING DATE December 22, 2003	GROUP ART UNIT To Be Assigned
APPLICANT(S): Motoharu Miyake et al.		

**REFERENCE DESIGNATION                    U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
A					
A					
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**FOREIGN PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES OR NO
A					
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EXAMINER INITIAL	OTHER ART – NON PATENT LITERATURE DOCUMENTS		
	(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.)		
A1	Ludwig, R. et al., "The Eifel Detection Algorithm for TCP", July 24, 2002, 10 pages		
A2	Allman M. et al., "On Estimating End-to-End Network Path Properties" ACM SIGCOMM Computer Communication Review, Volume 29, Issue 4, October 1999, Pages 263-274		
A			
A			
A			
A			

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.